4

TRIAL

OF

JOSEPH CLARKE, the Younger, and SARAH LLOYD,

At the Assizes, held at Bury St. Edmund's, March 20, 1800,

Before Sir NASH GROSE, Knt.

One of his Majesty's Justices of the Court of King's Bench.

Taken in Short Hand by Mr. W. NOTCUTT.

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Counsel for the Prosecution, Mr. HARVEY.—Attorney Mr. LEAKE.
Counsel for the Prisoner Clarke, Mr. ALDERSON.—Attorney Mr. BRAME.

The Prisoners were arraigned upon Two separate Indictments.

1st. For feloniously and maliciously setting fire to the dwelling house of SARAH SYER, of Hadleigh, in the county of Suffolk, widow, and consuming the same, on the 3d of October, 1799. There was a second count in the indictment, for feloniously and maliciously setting fire to the said dwelling house.

And 2dly. For feloniously and burglariously breaking and entering the dwelling house of the said Sarah Syer, in the night of the 3d of October, 1799. And a second count, for stealing thereout divers goods and monies, the property of the said Sarah Syer and Elizabeth Hoborough, spinster, of the value of 40s. and upwards.

To these indictments they severally pleaded Not Guilty; and they were put upon their trial for the burglary.

Mr. HARVEY.

My Lord and Gentlemen of the Jury.

I Request you will indulge me with your attention, whilst I state to you the evidence which will be brought before you against the prisoners at the bar. Mrs. Syer is a respectable widow Lady, who lives at Hadleigh, in this county, where she has resided about Twelve months. Mrs. Hoborough lives with her as her companion and boarder. Sarah Lloyd lived servant with her for about Eight months before she committed the crime she is charged with. It had been the custom of Mrs. Hoborough herself, to see that all the fires were out and all the doors fastened. On the night of the 3d of October last, which is the day we say the crime was committed, Mrs. Hoborough had seen, as usual, that all the doors and windows were properly fastened, particularly one door that led out of this house into the street, bolted

down and properly ſecured; the priſoner Lloyd was accuſtomed to ſleep in the room that Mrs. Syer ſlept in. She being an elderly Lady, the priſoner uſed to ſleep in the ſame room in a ſmall bed. In the morning, between 2 and 3 o'clock, the neighbours were alarmed with the cry of fire, and when they came to give aſſiſtance, the firſt perſon who got up to the door was a Mr. King; he will prove that the door, as ſoon as he touched it, opened, and that there was no bolt or bar to ſecure it. The firſt thing Mrs. Syer did, upon her being awakened, was to call for her ſervant Lloyd, who did go to bed in her room, for Mrs. Hoborough will tell you, that ſhe heard her in that room unlacing her ſtays, and preparing herſelf for going to bed; upon Mrs. Hoborough's going into Mrs. Syer's room, ſhe went up to the priſoner's bed, and found ſhe was not there. She found too that ſome things were miſſing, and that ſhe had left her dirty linen, and taken other away. When the neighbours came into the houſe, the fire was raging at an out-houſe; and they found the dwelling-houſe had been attempted to be ſet fire to in three different places, and that there was fire concealed under the ſtairs, which fortunately did not take effect; for if it had, it would have been almoſt impoſſible for theſe Ladies to have ſaved their lives. When the Ladies were removed to a place of ſafety, Mrs. Syer began to make inquiries and to think about her property; accordingly ſhe requeſted Mr. Bickmore to go into her houſe and to look for her pockets, which, when ſhe went to bed, were behind her pillow. Mr. Bickmore did go to look for them, but the pockets were not found, nor have they been found to this day; I believe ſome perſon in Court knows where they are, but we do not. Mrs. Syer then began to enquire what ſhe had loſt; ſeveral things were diſcovered to be loſt, which, as they were wearing apparel, I ſhall not enumerate them. You muſt imagine that ſuſpicion fell on the priſoner at the bar, and there was little doubt but that ſhe was a party in the crime; accordingly ſearch was made after the priſoner, and it will be particular for your obſervation to take notice where ſhe was found; the manner in which ſhe was found; her behaviour on being found; and her conduct afterwards: It was early in the morning, a few days after the fire, as a perſon whoſe name is Green, was walking in the road, he obſerved a woman walking before him; it ſtruck him ſhe might be the woman that had committed the crime; he walked after her; ſhe walked faſter on, and ſuddenly turned out of the path into the fields, where he ſaw her throw herſelf over a bramble hedge into a ditch; when he got up to her, he aſked her what all this was for? She ſaid, for God's ſake let me go. Finding her in this ſituation, and knowing ſhe had been a ſervant to Mrs. Syer, he taxed her with having been doing ſomething very improper, and he would not let her go, but very properly took her into cuſtody. On his delivering her to Simpſon, the conſtable of Hadleigh, before ſhe was carried to a magiſtrate, ſhe ſaid that the bundles ſhe had taken from Mrs. Syer were in an outhouſe at her father's. Theſe bundles were found in the ſituation ſhe deſcribed, and they contained the things belonging to Mrs. Syer; and there is no doubt but ſhe took them, and carried them there, as they were found according to her deſcription. Now, the next queſtion is, at what time of night this was done? There is no doubt but it was dark at the time it was done, as it was about Ten o'clock when Mrs. Hoborough went to bed, and had ſeen all the doors faſtened, and it was about One o'clock that the fire was diſcovered. To conſtitute a burglary, there muſt be an abſolute breaking; and to prove that there was in this caſe, I have her confeſſion before the magiſtrate; this I ſhall, for particular reaſons, not read, till it is brought forth in evidence. All the facts I have ſtated are againſt the priſoner Lloyd. Nor can I ſtate any thing againſt the other priſoner that is legal evidence; he muſt be acquitted, and I ſhall conſent to his being ſo, without any thing comes out againſt him that I don't know of.

SARAH

BRITISH MUSEUM

SARAH SYER.

You live at Hadleigh? Yes.

How long have you lived there? Between eleven and twelve months.

Do you know the priſoner at the bar, Sarah Lloyd? Yes.

She was your ſervant? Yes.

How long has ſhe been with you? She has been my ſervant ſix and thirty weeks.

Do you recollect her being with you the 3d of October laſt? Yes.

Did ſhe put you to bed that evening? Yes ſhe did.

Did you ſee her that evening come to bed? I cannot ſay I ſaw her, but I heard her in my room; my bed curtains were drawn.

She uſed to ſleep in your room? Yes ſhe did.

Tell the Court and Jury what happened. In the morning, about one or two o'clock, I was alarmed with the cry of fire, and was called to come down, or elſe we ſhould be burnt.

What did you do upon this alarm? I called to my ſervant, Sarah Lloyd, for a light; I could not find her.

Did Miſs Hoborough come in afterwards? Yes, I think ſo.

How long was it before you got away? A very little time; as ſoon as I could get my things on I got away, the danger was ſo great.

Where did you go to? To Mr. Bickmore's.

When you went out of the houſe, you had not miſſed an article? No, I had not.

Did you deſire any body to go to the houſe to look for any thing? I aſked Mr. Bickmore to go back and look for my pockets.

Did he find them? No, they were not found then, nor ſince.

When did you return to the houſe? I went again between 3 and 4 o'clock.

When you went back, in what ſtate did you find your houſe? The fire had conſumed what we call the coal houſe.

Was the houſe burnt? No, only part of it.

Did you look for any particular article? I went up ſtairs, and I miſſed ſome of my things.

What did you miſs? I miſſed my flannel coat, my pockets from under my pillow. What elſe did you miſs at the ſame time? I miſſed two gowns, two petticoats; there were five caps miſſing, a houſewife and handkerchief, a black ſilk cloak lined with lace, a black handkerchief lined with lace, and another black handkerchief and a muſlin one.

Were all theſe things in the houſe when you went to bed? Yes they were, the gowns hung up in my room.

What are the value of thoſe things you have mentioned? About 3 guineas.

Did you loſe any money? Yes, between 10 and 11 guineas.

What was the value of the cloak? About 30s. it was the cloak lined with lace.

You loſt a watch at the ſame time? Yes.

The watch and money were in your pocket? Yes.

Judge. Do you know the man? Yes, Sir.

How long have you known him? A great many years,

Had you ſeen him in your houſe that night? No, I had not.

ELIZABETH HOBOROUGH.

You live as companion to Mrs. Syer? Yes.

You were with her the 3d of October? Yes, I was.

What time did you go to bed? I went to bed between 9 and 10 o'clock.

What did you do before you went to bed? I bar'd all the doors and windows, and ſaw all the fires put out.

Did you faſten the outward door? Yes.

How did you bar the door—deſcribe how you did it? It was locked, and bolted with a croſs bar, a ſmall bar at the top.

Were all theſe faſtened? Yes they were.

What was the croſs bar? It was an iron one. Was it locked? Yes.

Were there 3 faſtenings to the door? Yes there were.

Where did you ſee Sarah Lloyd laſt that evening? It was in Mrs. Syer's bed chamber.

What was ſhe doing there? She was warming Mrs. Syer's bed,

Did you ſee her after Mrs. Syer was in bed? No; but I heard her go down ſtairs and come up again.

When ſhe came up again, where did ſhe go? Into Mrs. Syer's bed room, to go to bed.

How do you know that? I heard her begin to undreſs herſelf—I heard the lace of her ſtays rattle.

Then your room was near Mrs. Syer's? The rooms join each other.

When were you alarmed with the cry of fire? Between 2 and 3 in the morning.

Did you go into Mrs. Syer's room? Yes I did.

Did you find Sarah Lloyd there? No, I did not: I went and examined the bed, and ſhe was not there.

What did you obſerve on the bed? At that time I obſerved nothing, as it was dark.

What did you obſerve when you had a light? When a light came, I found ſome of Sarah Lloyd's cloaths.

Were they part of the cloaths ſhe had on that day? Yes, I am certain of that.

Did you go out of the houſe with Mrs. Syer? Yes, I went with her to Mr. Bickmore's.

What did you loſe? I loſt two gowns, an apron, and a cap.

What might be the value of your things? They were worth about 30s

Were you preſent when the priſoner was brought back? Yes I was.

Do you remember any thing particular of her dreſs? Mrs. Syer's coat was taken off her.

Did you ſee it taken off her? I aſſiſted in undreſſing her.

Queſtions to Mrs. Syer.

Where was this coat the night before? It was the coat I had on when I went to bed.

When you examined the bed, was there an appearance of any perſon having been in bed that night? Yes there was.

Did you obſerve the door when you went down? Yes, it was open.

Were the bolts faſtened? No they were not.

Wm. KING.

Do you live at Hadleigh? Yes.

Do you remember the alarm of fire? Yes I do.

When was it? It was late on the 3d, or early on the 4th of October laſt I heard the ſhriek of fire, and found it was at Mrs. Syer's houſe.

Whereabouts do you live? Very near, a very little way from the houſe.

What did you do? I went, and I ſaid to a man, let us break the door open.

Did you do ſo? I ran at the door with my foot, with intent to break it open, and it flew open.

Could there be any faſtening? No, there could not, for it opened directly at my running againſt it.

Did you examine the door afterwards? Yes I did examine it, and it could not have flown open if it had been faſtened with any one of the bolts.

You examined them? Yes, and it could not have opened ſo eaſily if any of them had been faſtened.

You alarmed the family when you got there? I alarmed the family all I could with the cry of fire.

ASKEW BICKMORE.

You are a ſchoolmaſter at Hadleigh? Yes.

You live oppoſite Mrs. Syer's? Yes I do.

You remember there being a cry of fire? I do.

Mrs. Syer came to your houſe? Yes ſhe did.

She aſked you to go and look for her pockets? I went to look for ſome of the property at the requeſt of Mrs. Syer.

Was this while the houſe was burning? Yes it was.

What did you particularly go to look for? I went to look for Mrs. Syer's pockets.

Could you find them? No, I could not.

Was any enquiry made after the girl that night? There were repeated enquiries made.

Could ſhe be found? No, ſhe could not.

ISAAC GREEN.

Do you know, Lloyd the priſoner? Yes.

You know her family? Yes, I do.

Do you remember ſeeing her in October laſt? I ſaw her when I took her after the fire at Hadleigh.

How many days after? I cannot tell, as I am no ſcholar.

Where did you ſee her? I ſaw her coming down in the road.

Where was it? About 6 miles from Hadleigh.

What day was it? On Saturday.

What time of the day? About 6 o'clock in the morning.

Was ſhe going from you, or coming towards you? She was coming towards me; when ſhe ſaw me, inſtead of coming forward, ſhe run into the field.

Did you follow her? I followed her through three little fields.

Was there a foot path in thoſe fields? There was in two of them a foot path; where there was no foot path ſhe ran along on the border, and ſkipt over a bramble into the ditch. I aſked her what all this meant?

Did you lay hold of her? I aſked her her name, and ſhe owned her name; ſhe ſaid her name was Sarah Lloyd? I aſked her if ſhe was ſervant to Mrs. Syer? She ſaid yes. Then I told her I was afraid ſhe had done this miſchief at Hadleigh?

What anſwer did ſhe give you to this? She ſaid no; ſhe had got inveigled with two ſoldiers.

What did you do with her? I took her by the hand, and took her out of the ditch. She beg'd I would let her go. I told her ſhe muſt go to the public houſe with me.

Did you take her there? Yes, I took her there, and ſent for the conſtable of the pariſh.

You delivered her to Simpſon? No, to the conſtable of the pariſh.

Did you ſee her delivered up to the Hadleigh conſtable? Yes.

Croſs-examined by Mr. Alderſon.

She told you ſhe was got inveigled with two ſoldiers? Yes.

It was the firſt thing ſhe told you? Yes.

THOMAS SIMPSON.

You are conſtable of Hadleigh? Yes I am.

You took charge of the priſoner, Lloyd? Yes.

On taking charge of her, what did ſhe ſay? When ſhe had been along with me a little while, a relation came to ſpeak to her, and aſked her how ſhe came to be ſo loſt as to let the ſoldiers have ſo much rule over her?

What did ſhe ſay? I told her that there could be no ſuch thing, as there were no ſoldiers quartered in the town at the time. She ſaid there were two; ſhe ſaid one of them came to the front of the houſe, and the other went to the back part.

What did you ſay to her? I aſked her whether ſhe could tell me where the bundle of goods was that ſhe robbed her miſtreſs of?

What anſwer did ſhe give? She ſaid they were at her father's at Naughton.

In what place did ſhe ſay they were in? She ſaid they were in a hovel joining the houſe.

In conſequence of this information did you go there? Yes I did.

Did you look for them? Yes.

Did you find them there? Yes.

Where are they? I have them here in Court

You found them in the place ſhe told you? She went with me and Mr. Syer.

Do you recollect the priſoner being ſearched? Yes.

What was taken from her? A flannel petticoat.

Produce the goods. The goods produced, and the ſeveral things ſworn to by Mrs. Syer and Miſs Hoborough, to the value of upwards of 40s.

Mr. HARVEY. My Lord, I have to obſerve, that as there is no evidence

againſt the priſoner Clarke, I conſent that he be acquitted before the confeſſion is read.

JUDGE GROSE. I think you act very candidly and proper, as there is no evidence; therefore, Gentlemen of the Jury, as there is no evidence againſt Clarke, you muſt acquit him; accordingly the Jury found Clarke NOT GUILTY, and he was diſcharged.

Mr. PARSONS Sworn.

You are Clerk to the Magiſtrate? Yes.

You remember Lloyd being brought before Mr. Gooch? Yes I do.

Was that confeſſion made voluntarily, without promiſes or threatenings? Yes it was. Did you ſee her ſign it? Yes.

To Mrs. Syer. What was the value of the things in your pocket? There were 11 or 12 guineas and a metal watch.

To the Priſoner. You have heard the evidence that has been given againſt you, what have you to ſay in your defence.

Priſoner. It was not me, my Lord, but Clarke that did it.

Have you any witneſs to call? No.

Have you any to your character? I don't know that I have, except Mrs. Syer, *(who ſaid ſhe could not give her a good one.)*

SUFFOLK. The Voluntary Confeſſion and Examination of Sarah Lloyd, of Hadleigh in the ſaid County, ſingle woman, taken before me Thomas Sherlock Gooch, Eſq. one of his Majeſty's Juſtices of the Peace, in and for the ſaid county, the 5th day of Oct. in the year of our Lord 1799.

Who ſaith that for about 8 months laſt paſt, ſhe has lived with Mrs. Syer of Hadleigh, as her ſervant. That about two months ago, ——— was employed to do ſome painting about her miſtreſs's houſe; and at the time he was ſo employed, an acquaintance took place between them. * * * † * * * * * * * * * * * * * * * * * On Thurſday night the 3d inſtant, ſhe went to bed about 10 o'clock and ſlept in a bed by herſelf in her miſtreſs's room. About one o'clock the next morning, ſhe heard a noiſe at the door, and went to the window of the room ſhe ſlept in, and aſked who was there: ——— ſaid, It is me. Knowing his voice, ſhe dreſſed herſelf, and knew her miſtreſs was aſleep at the time, becauſe ſhe ſnored. She went down ſtairs with a candle, which ſhe lighted from one burning in the room. She unbarred and unlocked the ſtreet door, and let ——— in. He ſaid, will you go with me? She aſked him where? He ſaid up ſtairs, and pulled off his ſhoes and followed her up ſtairs, having before aſked her in the parlour, whether ſhe thought her miſtreſs was faſt aſleep, to which ſhe ſaid ſhe believed ſhe was. When they were upon the landing of the ſtairs, ——— aſked her whether ſhe knew where her miſtreſs's pockets were? ſhe ſaid ſhe did know, and that they were under her miſtreſs's head. They went together into her miſtreſs's room. ——— ſtood at the table, upon which the candle was placed, and requeſted her to take the pockets; upon which, ſhe went to the head of the bed; the curtains at the feet being undrawn; and found the pockets between the bolſter and pillow, which ſhe drew away without diſturbing her miſtreſs. ——— then ſaid,—have you got them? She ſaid ſhe had, and they both went down ſtairs, taking the candle with them off the table. When they got into the parlour, ſhe laid the pockets on the table. ——— then took the candle and went up the ſame ſtairs again into the beſt chamber, and ſhe followed him. He then took 3 caps into his hand out of a baſket upon the bed, and aſked her whether there was any thing elſe ſhe could get? She ſaid yes. A gown and coat of her miſtreſs's in the cloſet. Upon which he went into the cloſet and took them, and then carried them acroſs the beſt chamber into her miſtreſs's room, and ſhe followed him. He carried the candle. She heard her miſtreſs ſtill ſnoring. ——— whiſpered to her whether ſhe could get any thing elſe. She ſaid no,—ſhe thought he had got quite enough. ——— then carrying the candle in his hand, looked into Miſs Hoborough's room; the door of which was then open as uſual. He ſaid there were two gowns hanging up in the room, and aſked her repeatedly whether he ſhould take them. She ſaid he had got enough; but he went in of his own accord and took them, and brought them into Mrs. Syer's room, and carried them all down ſtairs into the little parlour; and he tied them up in an handkerchief, which he took off her miſtreſs's chair as they paſſed through the room. ——— then aſked her to get her own cloaths, which ſhe did, taking the candle and going up ſtairs to her box, which ſtood on the landing. She brought them down ſtairs and tied them up in the parlour. He aſked her to lend him the candle, which ſhe gave him. He went into the kitchen, and from thence into the yard to the coal-houſe door. She went out of the door, but did not follow him. She ſaw him ſet fire to the ſtraw in the coal-houſe; and when he came in, he took two whiſps of ſtraw from the ſcullery, and went again up ſtairs with the candle. She aſked him where he was going. He ſaid not far. She ſtaid in the paſſage below, and he returned in a minute or two. She then aſked him what he had been after. He told her he carried one whiſp of ſtraw into the cloſet of the beſt room, and the other he ſtuffed into a ſmall cloſet under the ſtair caſe, leading to her miſtreſs's room. She

ſaw

ſaw him light the ſtraw under the ſtairs—and ſaid, the Lord have mercy upon me! what do you mean? He made no anſwer; but went into the beſt parlour, and brought out her miſtreſs's black ſilk cloak and handkerchief; and when he came out of the room, he ſhut the door after him, and told her he had ſet the curtains on fire. She went out of the houſe firſt, and ——— followed her, and pulled the door after him, carrying the bundles in his hand. They went through the Church-yard to ———'s houſe. After they got into the houſe, ——— ſaid, what are we to do in this matter? She ſaid ſhe did not know. ——— ſaid, if there is an alarm of fire, will you turn it over to the ſoldiers? She did not know what to do. But ——— ſaid you can do it and clear me; lay it to the ſoldiers that were quartered in the town, one at the Lion, and the other at the Ram; and ſay one was in the market, and the other left you at Stone-ſtreet. And you had better take the parcels and go to your mother. She took them and went out of the houſe. She obſerved that her miſtreſs's pockets were not tied up in the parcels; but ——— carried them under his arm. She then went to her mother's at Naughton, with the two bundles.

The Mark X of SARAH LLOYD.

Taken before me, T. S. GOOCH. Atteſted by me, GEORGE PARSONS.

Mr. Juſtice GROSE. Gentlemen, The priſoner at the bar is indicted for breaking into the houſe of Mrs. Sarah Syer, for the purpoſe of committing a felony; and ſhe is likewiſe charged in the indictment, with ſtealing goods out of the dwelling-houſe to the value of 40s. I will ſtate to you, what conſtitutes a burglary. A burglary is breaking and entering into a houſe in the night, when it is dark, by forcing the bolts, locks, or bars, ſo as to amount to a forcible entry, and it muſt be in the night time, or it is not a burglary. There are ſeveral charges againſt the priſoner, ſome of which ſhe is not guilty of; but there are ſome of which you are to judge. When I ſtate to you, that ſhe was indicted with Joſeph Clarke, I ſtate to you, that there being no evidence againſt him he was acquitted. It ſeems to me that there is no proof of a burglary, for there muſt be a breaking of the houſe, or forcing the bolt, in order to break in; and I muſt ſtate to you, that ſhe did not break into the houſe, but ſhe broke out of the houſe, which is no burglary. But ſhe is indicted for ſtealing in the dwelling-houſe, a certain quantity of goods to the amount of 40s. this is a capital offence, for it is a capital offence to ſteal out of a dwelling-houſe, goods of the value of 40s. It ſeems to me, this is the part of the indictment to which I muſt direct your attention, therefore it is for you to enquire whether ſhe ſtole out of the houſe of Mrs. Sarah Syer, goods to the value of 40s.

The learned Judge, after recapitulating the evidence, ſaid, we ſee that within two days after the crime is committed the priſoner is taken up; ſhe was aſked this queſtion, where the property was that ſhe had robbed her miſtreſs of, ſhe told Simpſon, the conſtable, where it was, ſhe went with him and ſhewed him where it was. This is ſtrong proof of her guilt, as no perſon but thoſe who ſtole the property could tell where it was. The bundles are found in the poſſeſſion of the priſoner, and as ſhe gives no account how ſhe came by them, it is ſtrong preſumptive proof that ſhe took them and put them there. In ſupport of this, her confeſſion is produced. I muſt obſerve to you, that by this confeſſion ſhe endeavours to lay the guilt on another perſon. It was moſt honourable and candid on the part of the council for the proſecution, to conſent that Clarke ſhould be acquitted before the confeſſion was read. I ſay, it was moſt honourable in him ſo to do, leſt it ſhould prejudice your minds, though it ought to have no effect, for ſhe cannot accuſe any body but herſelf; ſhe may bring the whole weight of the law, by her confeſſion, upon herſelf, but ſhe being charged with the offence, it cannot affect any other perſon but herſelf. I ſay, it was honourable in the counſel to direct that Clarke ſhould be previouſly acquitted, as there is no evidence againſt him. As to the confeſſion, I don't know that it is neceſſary for me to read the whole, but only juſt the ſubſtance of what it contains. It ſtates, that ſhe ſtole her miſtreſs's pockets from under her

head,

head, which contained more than 40s.; ſhe took a great deal more and went away with it; ſhe don't ſay where, but this is ſupplied by the evidence of Simpſon, who found the things by her direction. There is no doubt from this confeſſion what this crime amounts to; that ſhe is guilty of ſtealing in the dwelling-houſe to the amount of 40s. All I have to ſay, is, that I have been looking into this caſe, and can find no loop hole whereby you might be induced to acquit her; but if you can ſay truly and ſafely, that you have any doubt on your minds you ought to acquit; if not, it is your duty, though it is painful to a feeling mind to find her guilty. It is an enormous crime, and juſtice calls, that a perſon who commits ſuch a crime ſhould be found guilty; but I would not have you be led away by me; you are to conſider of it as honeſt men, and give a verdict accordingly. I will juſt ſtate to you, that where a ſervant admits another perſon into the houſe, it is a burglary; therefore, if you think ſhe did ſo, you may find her guilty of the burglary.

The Jury, after a ſhort conſultation, found her NOT GUILTY of the burglary, but GUILTY of ſtealing in the dwelling houſe to the value of 40s.

The Judge's Speech upon paſſing Sentence on the priſoner.

Sarah Lloyd! You have been tried and convicted by a very attentive jury, of the crime of larceny in the dwelling houſe of Mrs. Syer. When I recollect what the caſe is, and what further charge there was againſt you, I do ſtate your crime to be one of the foulеſt and moſt complicated that human nature is capable of. You are convicted of having robbed the houſe of your miſtreſs; a ſervant robbing a miſtreſs is a very heinous crime; but your crime is greatly heightened; your miſtreſs placed implicit confidence in you; you ſlept near her, in the ſame room, and you ought to have protected her; but inſtead of that, when ſhe was aſleep, and deprived of all energy and ſenſe, you, by your confeſſion, roſe to admit into the houſe the villain to whom you had ſurrendered your virtue. You took the unfortunate Lady's pockets from under her head, and robbed her of what ſhe had; but though this crime was bad, yet it was innocence, compared with what followed: you were not content with robbing your miſtreſs, but you conſpired to ſet her houſe on fire, thereby adding to your crime death and deſtruction not only to the unfortunate Lady, but to all thoſe whoſe houſes were near by. A more baneful peſt to ſociety cannot have exiſted among men, than thoſe who, after having injured, attempt to deſtroy thoſe to whom they owe ſtrict obedience. You were admitted to ſleep in the ſame room; your miſtreſs, whom you attempted to deſtroy, repoſed the fulleſt confidence in you. Whether you were in hearing when I paſſed ſentence on the unfortunate convicts at the bar juſt now, I cannot tell; but I have to announce to you, that your laſt hour is approaching; and for the great and aggravated offence that you have committed, the law dooms you to die. In my ſituation I cannot adviſe his Majeſty to ſhew you any grace or pardon whatſoever, for yours is a crime that muſt be puniſhed; I therefore adviſe you to repent of the crime you have committed, that you may deſerve that gracious pardon which the Father of all Mercies will grant to the truly penitent. I have only to pronounce the dreadful ſentence of the law, which is, that you be taken from hence to the place from whence you came, and from thence to the place of execution, and that you be there hanged by the neck until you are dead; and the Lord have mercy on your ſoul!

Thus ended this trial, which has excited an unuſual degree of intereſt in the public mind. Before we proceed to make a few remarks upon it, it may be proper to correct ſome errors, which have gone abroad, relative to the

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proſecution itſelf. It has been aſſerted by ſome perſons, who are ignorant even of the forms of judicial proceedings in criminal caſes, that Clarke was not tried at all. It is only neceſſary to refer the reader to the trial itſelf, to expoſe the falſehood and abſurdity of this aſſertion. It has been ſaid alſo, that the priſoners ſhould have been indicted ſeparately, and that they ſhould have been tried for the houſe burning firſt. This alſo proceeds upon the ſame miſconception of the caſe, and the proceedings upon it. If Clarke was concerned at all, he was concerned as a principal, and conſequently was properly indicted with Lloyd. Againſt him there was no *legal* evidence, and therefore he was acquitted. They were indicted jointly, by the advice of one of the moſt able Crown Lawyers of the preſent day. They were alſo properly indicted for the burglary and larceny in the firſt inſtance; for the evidence on that indictment was clear and poſitive againſt Lloyd. On the indictment for the Arſon, it was preſumptive only. And in both caſes there was ſuch a defect of *legal* evidence againſt Clarke, that it was impoſſible to convict him of either charge.

But to return to the crime itſelf, as it was proved againſt the unhappy priſoner, Sarah Lloyd. And whether we conſider the age and ſituation of the accuſed, the means reſorted to for the perpetration of this horrible offence, the providential eſcape of the two ladies from the fury of the flames, and the atrocity and malignity of the crime itſelf, it is to be hoped that a ſimilar inſtance of wickedneſs and depravity may never again occur in this county. In contemplating all the painful and afflicting circumſtances of this ſingular trial, it affords much relief to the feeling and humane mind to reflect, that the behaviour of this unfortunate woman has been moſt decent, compoſed, and contrite, ſince her condemnation. She has ſhewn none of that deſperate hardihood, none of that fearleſs and ſhameleſs effrontery, the too frequent effects of a depraved and corrupted heart. She has indeed ſhuddered at the idea of death, and ſhrunk with apprehenſion from its terrors. But this ſtate of alarm, natural to all, and moſt natural to her feeble and timid ſex, has been temporary and partial. In general, ſhe has been calm and reſigned, anxious for the moment of diſſolution, and impreſſed with a proper ſenſe of her ſituation here, and the moſt lively hopes of mercy hereafter. For this happy compoſure and ſerenity of mind, ſhe was indebted to the moſt tender attentions, the moſt kind ſolicitude, and the moſt ſalutary admonitions of a Clergyman of the neighbourhood,* the rank and dignity of whoſe family are perhaps amongſt the leaſt recommendations of his truly amiable character. This gentleman went repeatedly to viſit her in goal, and by the warmth with which he entered into her ſituation, and ſympathiſed in her ſorrows, he produced that ſingularly happy change in her, which was attended with unſpeakable ſatisfaction to herſelf, and great conſolation to all around her. She uniformly aſſerted the truth of her confeſſion. She has indeed been more circumſtantial in her deſcription of the events of that fatal night, ſince her condemnation. But as ſhe

* The Rev. Dr. Hay Drummond, rector of Hadleigh, brother to the Earl of Kinnoul.

never deviated from the plain and ſimple narrative in her life time, ſo ſhe ſealed it with her laſt and dying words. It can no longer be doubted. It is depoſited in the Sanctuary, and inſcribed in the immutable Records of Truth! And may the God of Truth and Mercy pardon her offences, and receive her ſoul, through the merits and interceſſion of her crucified Saviour.

The 9th of April was the day at firſt fixed upon for her execution; but it was ſuſpended for 14 days, in the hope that the Royal mercy might be extended to her; it was however deemed highly neceſſary to make a ſevere example of ſuch an atrocious offence. On that day her mind was quite compoſed, and prepared for her awful change. She was even converſive, and gave to a gentleman, who has humanely attended her conſtantly in priſon, a few trifles to diſpoſe of; ſuch as a pair of gold ear-rings to her ſiſter; a pincuſhion to a little girl at Clarke's; her cloaths to her mother, to be divided amongſt her ſiſters, except ſuch as ſhe gave to two girls, who were in Bury priſon with her. She then requeſted to be decently interred. When ſpeaking of Clarke, ſhe ſaid, *Remember me to him; tell him, I freely forgive and die in peace with him, and hope he will forgive me; pray, Sir, adviſe him to lead a ſober and a better life.*

From this dreadful but neceſſary example, an uſeful leſſon is taught to every claſs of the community. To maſters and miſtreſſes of families, it ſhews the abſolute neceſſity, not merely of watching the conduct, but of improving the morals and inſtructing the minds of their domeſtics in religious truths. To ſervants, and more particularly to female ſervants, it points out the importance of ſobriety, chaſtity, fidelity, honeſty, obedience; and that it is not leſs their intereſt, than their duty, to cultivate theſe virtues. Had this unhappy girl been inſtructed in the rudiments only of Chriſtianity, of which ſhe was utterly ignorant, this crime probably would never have been committed. She firſt fell a victim to ſeduction. She loſt her virtue, her ſenſe of rectitude, and her life. May this tremendous example, loudly called for by the injured juſtice of the country, go home to every man's boſom, and leave this ſtrong and ſalutary impreſſion there "*That the loſs of virtuous and religious principle, is followed* "*by the ſacrifice of every thing dear on Earth, and of the beſt hopes of Heaven.*"

Errata. In page 3, 2d col. lines 9, 10, and 21, for *lined*, read *trimm'd*.

18 JA 53

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